

SENATE BILL 3998

By Beavers

AN ACT to amend Tennessee Code Annotated, Section 65-4-201 and Title 68, Chapter 221, relative to sewage disposal systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-607, is amended by deleting subdivision (a)(16) in its entirety and by substituting the following:

(16) Adopt by majority vote of the board, regulations, including, but not limited to, requirements for the posting of performance bonds and maintenance bonds, governing the operation and maintenance of nontraditional sewage disposal systems. The phrase “nontraditional sewage disposal systems” does not include subsurface sewage disposal systems that are subject to the permitting requirements of part 4 of this chapter, nor to wastewater collection and disposal systems that are owned or operated by a governmental entity, nor to public utilities regulated by the Tennessee regulatory authority and subject to Tennessee regulatory authority Rule 1220-4-13.07. The Water Quality Control Act, compiled in title 69, chapter 3, and regulations adopted thereunder, shall prevail over any such regulations of an authority in the event of a conflict; provided, that the authority may adopt regulations that are more stringent than the Water Quality Control Act and regulations promulgated under that act, if a copy of such regulations is filed with the department.

SECTION 2. Tennessee Code Annotated, Section 68-221-1307, is amended by deleting subdivision (a)(15) in its entirety and substituting the following:

(15) Adopt regulations by majority vote of the board, including, but not limited to, requirements for the posting of performance bonds and maintenance bonds, governing the operation and maintenance of nontraditional sewage disposal systems.

“Nontraditional sewage disposal systems” does not include subsurface sewage disposal systems that are subject to the permitting requirements of part 4 of this chapter, nor to wastewater collection and disposal systems that are owned or operated by a governmental entity, nor to public utilities regulated by the Tennessee regulatory authority and subject to Tennessee regulatory authority Rule 1220-4-13.07. The Water Quality Control Act, compiled in title 69, chapter 3, and regulations adopted under that act, shall prevail over any such regulations of an authority in the event of a conflict; provided, that the authority may adopt regulations that are more stringent than the Water Quality Control Act and regulations promulgated under that act, if a copy of the regulations is filed with the department.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.